

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Dena R. Smyers, :
Plaintiff : Civil Action 2:11-cv-682
v. : Judge Graham
Commissioner of Social Security, : Magistrate Judge Abel
Defendant :
:

ORDER DISMISSING CASE

Plaintiff has failed to file proof of service of the summons and complaint on the defendant in this case. On December 28, 2011, the Magistrate Judge issued an order for Plaintiff to show cause within fourteen days why this action should not be dismissed without prejudice. No response has been received.

Accordingly, it is **ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m) for failure to obtain service upon the defendant within 120 days after filing the complaint.

Date: March 13, 2012

s/James L. Graham
James L. Graham
United States District Judge